

**BEFORE THE BOARD OF MEDICAL EXAMINERS
STATE OF IOWA**

**IN THE MATTER OF THE COMPLAINT AND STATEMENT OF CHARGES
AGAINST**

WILLIAM E. DURBIN, M.D., RESPONDENT

02-95-022

TERMINATION ORDER

NOW ON January 12, ~~19 2000~~ BE IT REMEMBERED:

1. That on October 19, 1995, an Order was issued by the Iowa Board of Medical Examiners placing the license to practice medicine and surgery, number 26681 issued to William E. Durbin (the Respondent) on July 21, 1988, on probation under certain terms and conditions; and,

2. That on November 3, 1999, the Respondent filed an application with the Board seeking termination of his probation, and:

3. That on December 16, 1999, the Board considered the Respondent's application and voted to authorize the termination of the probation placed upon his license to practice osteopathic medicine and surgery:

IT IS HEREBY ORDERED:

That the probation placed upon the Respondent's license to practice medicine and surgery is terminated, and the license is returned to its full privileges free and clear of all restrictions.

Dale R. Holdiman MD

Dale R. Holdiman, M.D., Board Chairperson
IOWA BOARD OF MEDICAL EXAMINERS
400 SW 8th, Suite C
Des Moines, Iowa 50309-4686

**BEFORE THE BOARD OF MEDICAL EXAMINERS
STATE OF IOWA**

IN THE MATTER OF THE LICENSURE DISCIPLINE OF

WILLIAM E. DURBIN, M.D., RESPONDENT

PO-95-022

AMENDED ORDER

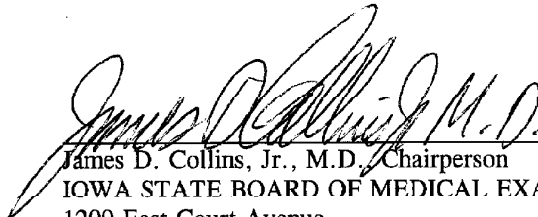
NOW ON December 6, 1995 BE IT REMEMBERED:

I. That on November 27, 1995, William E. Durbin, M.D., (hereafter the Respondent) filed an application with the Iowa State Board of Medical Examiners (hereafter the Board), seeking certain amendments to a medical board disciplinary Order issued in the above entitled action on October 19, 1995.

II. That on November 30, 1995, the Board considered the Respondent's application and voted to authorize amendments to the above referenced medical board Order.

THEREFORE IT IS ORDERED that paragraph f of the above referenced medical board disciplinary Order dated October 19, 1995 is hereby amended to read:

The Licensee shall attend at least one (1) meetings of Alcoholics Anonymous (AA) or a similar organization approved by the Board weekly. The Licensee shall append to each quarterly report referred to in subparagraph 8-e above, statements signed or initialed by another person in attendance at the meetings attesting to the Licensee's attendance. The statement shall include the time, date and location of the meetings attended.


James D. Collins, Jr., M.D., Chairperson
IOWA STATE BOARD OF MEDICAL EXAMINERS
1209 East Court Avenue
Des Moines, Iowa 50319-0180

BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF IOWA

IN THE MATTER OF THE LICENSURE DISCIPLINE OF

WILLIAM E. DURBIN, MD, LICENSEE

No. 02-95-022

STATEMENT OF CHARGES

&

INFORMAL SETTLEMENT

(combined)

COMES NOW the Iowa Board of Medical Examiners (the Board), and William E. Durbin, MD (the Licensee), and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4), enter into the following Statement of Charges and Informal Settlement.

STATEMENT OF CHARGES

1. The Licensee was issued license number 26681 to practice medicine and surgery in Iowa on July 21, 1988. The license is valid and will next expire on December 1, 1995.

2. That concerns about the Licensee's condition were reported to the Board and an investigation was conducted.

3. Thereafter the Licensee was ordered to undergo a comprehensive physical and neuropsychiatric examination and chemical dependency evaluation at the Milwaukee Psychiatric Hospital in Wauwatosa, Wisconsin. The evaluation report, a copy of which was made available to the Board at the Licensee's authorization, reflected that the Licensee was in need of chemical dependency treatment in a residential treatment facility.

4. Subsequent to the evaluation the Licensee successfully completed an inpatient chemical dependency treatment program. The Licensee currently continues with outpatient treatment.

5. The Board is authorized to impose discipline against the Licensee pursuant to provisions of Iowa Code sections 148.6(1), 148.6(2), and 148.6(2)h and 653 IAC 12.4, 12.4(3), 12.4(3)c, 12.4(4), 12.4(14), and 12.4(28).

INFORMAL SETTLEMENT

6. The Board has jurisdiction of the parties and subject matter herein.

7. The Licensee admits the allegations of the Statement of Charges.

8. Immediately upon the Board's approval of this Statement of Charges and Informal Settlement the Licensee's Iowa medical license shall be on probation for a period of five (5) years under the following terms and conditions:

- a) The Licensee shall not consume alcohol.
- b) The Licensee shall not use any controlled or prescription drug in any form unless the controlled or prescription drug has been prescribed for the Licensee's use by another duly licensed treating physician or other qualified treating health care provider. The Licensee shall inform any treating physician or other treating health care provider of his history of chemical dependency.
- c) The Licensee shall provide witnessed blood or urine specimens on demand by an agent of the Board. The specimens shall be used for alcohol and drug screening, all costs of which shall be paid by the Licensee.
- d) The Licensee shall, within thirty (30) days of the date of the Board's approval of this Informal Settlement, submit to

the Board the names and curriculum vitae of three physicians or counselors. The Board may approve one of the three to supervise the Licensee's continued chemical dependency treatment.

(1) As a condition of approval the physician or counselor shall agree to provide written quarterly reports to the Board concerning the Licensee's aftercare treatment progress. The reports shall be filed with the Board not later than January 20, April 20, July 20 and October 20 of each year of the Licensee's probation.

(2) The Licensee shall continue with chemical dependency treatment until discharged from treatment by the Board approved physician or counselor and until the Licensee's discharge from treatment is approved by the Board.

e) The Licensee shall file sworn quarterly reports with the Board attesting to his compliance with all the terms and conditions of this Informal Settlement. The reports shall be filed not later than January 10, April 10, July 10 and October 10 of each year of the Licensee's probation.

f) The Licensee shall attend at least one (1) aftercare meeting approved by the Board weekly. The Licensee shall append to each quarterly report referred to in subparagraph 8-e above, statements signed or initialed by another person in attendance at the meetings attesting to the Licensee's attendance. The statement shall include the time, date and location of the meetings attended.

g) The Licensee shall make appearances before the Board or a Board committee annually or upon request. The Licensee shall

be given reasonable notice of the date, time and location for the appearances.

h) The Licensee shall obey all federal, state and local laws, and all rules governing the practice of medicine in Iowa.

i) During the period of probation the Licensee shall be ineligible to supervise physician assistants.

9. In the event the Licensee leaves Iowa to reside or to practice outside the state, the Licensee shall notify the Board in writing of the dates of departure and return. Periods of residence or practice outside Iowa will not apply to the duration of this Informal Settlement. However, evidence that the Licensee has failed to abide by the terms of subparagraphs 8-a or 8-b of this Informal Settlement while outside the state shall constitute a violation of this Informal Settlement.

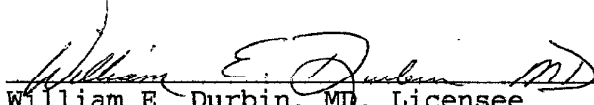
10. In the event the Licensee violates or fails to comply with any of the terms or conditions of this Informal Settlement, the Board may initiate action to revoke or suspend the Licensee's Iowa medical license or to impose other license discipline as authorized in Iowa Code chapters 272C and 148 and 653 IAC 12.2.

11. Upon full compliance with the terms and conditions of this Informal Settlement and upon expiration of the period of probation, the Licensee's Iowa medical license shall be restored to its full privileges free and clear of the terms of probation.

12. This Statement of Charges and Informal Settlement is subject to approval of the Board. If the Board fails to approve this Statement of Charges and Informal Settlement, it shall be of no force or effect to either party.

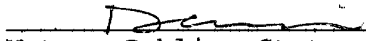
13. The Board's approval of this Statement of Charges and Informal Settlement shall constitute a **FINAL ORDER** of the Board in a disciplinary action.

This Statement of Charges and Informal Settlement is voluntarily submitted by the Licensee to the Board for consideration.



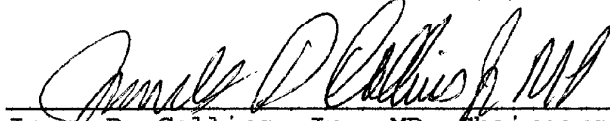
William E. Durbin, MD, Licensee

Subscribed and sworn to before me on October 18, 1995.



Notary Public, State of Iowa

This Statement of Charges and Informal Settlement is approved by the Board on October 19, 1995.



James D. Collins, Jr., MD, Chairperson
Iowa Board of Medical Examiners